

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:11-CR-00350-F-1

UNITED STATES OF AMERICA,)
)
)
 v.) O R D E R
)
)
ISIAH DENZEL YOUNG ,)
 Defendant.)

This matter is before the court on Isiah Denzel Young's letter motion [DE-105] received by the court on February 19, 2013. In his letter motion, Young is attempting to attack his sentence pursuant to *United States v. Simmons*, 649 F.3d 237 (4th Cir. 2011)¹.

Because Young is attacking the validity of his sentence, the appropriate avenue to bring this challenge is by way of a § 2255 motion². To the extent that Young seeks to file a § 2255 motion, he must file it on the appropriate form. The Clerk of Court hereby is DIRECTED to send a copy of the appropriate § 2255 form to Young. If Young elects to pursue a § 2255 motion, he shall have twenty-eight days within which to file his motion on the appropriate § 2255 form provided by the Clerk. Young should send the original of the § 2255 form to:

¹A review of the record reveals that pursuant to Standing Order No. 11-SO-03, counsel was appointed to assist Young. Counsel later moved to withdraw without presenting any motions on behalf of Young.

²Title 28 Section 2255 states four grounds upon which such relief may be claimed: (1) that the sentence was imposed in violation of the Constitution or laws of the United States; (2) that the court was without jurisdiction to impose such sentence; (3) that the sentence was in excess of the maximum authorized by law; and (4) that the sentence is otherwise subject to collateral attack. 28 U.S.C. § 2255(a).

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, North Carolina 27611

SO ORDERED.

This 25th day of September 2013.

James C. Fox
JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE